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8 IN THE UNITED STATES DISTRICT COURT FOR THE
9 EASTERN DISTRICT OF CALIFORNIA

10
11 UNITED STATES OF AMERICA,) CR. S-04-0019 MCE
12 Plaintiff,)
13) STIPULATION AND ORDER
14 v.) CONTINUING HEARING ON MOTION
15 RODNEY BUTLER,) TO SUPPRESS EVIDENCE
16 Defendant.)
17 _____)

18 Defendant Rodney Butler has filed a motion to suppress evidence
19 scheduled for hearing before the court on July 26, 2005 at 11:00
20 a.m. The parties agree and stipulate that this hearing be continued
until August 9, 2005 at 11:00 a.m.

21 The government has filed a supplemental opposition in response
22 to the motion to suppress evidence and provided defense counsel with
23 documents that demonstrate that Rodney Butler was not the owner of
24 the subject Camaro on May 27, 2003, the date the vehicle was
25 searched. In light of this new information, defendant wishes to
26 file an additional declaration. The parties believe that once
27 defendant has filed an additional declaration the factual record
28 ///

1 will be complete and there will not be a need to call witnesses on
2 August 9, 2005.

McGREGOR W. SCOTT
United States Attorney

5 || DATED: July 21, 2005

By /s/ Mary L. Grad
MARY L. GRAD
Assistant U.S. Attorney

/S/ David M. Dudley
DAVID M. DUDLEY
Counsel for Rodney Butler

IT IS SO ORDERED.

DATED: July 27, 2005


Morrison C. England, Jr.
UNITED STATES DISTRICT JUDGE